

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

11-CR-6153L

v.

TRYN PARKER,

Defendant.

This Court referred all pretrial motions in this criminal action to United States Magistrate Judge Jonathan W. Feldman pursuant to 28 U.S.C. § 636(b). Defendant Tryn Parker (“Parker”) had moved for dismissal of the indictment based on alleged violation of rules requiring a speedy trial. After receiving submissions from the parties, Magistrate Judge Feldman stated his reasons in open court on the record recommending denial of the motion. That oral decision was also memorialized in a written Report and Recommendation (Dkt. #26) filed February 1, 2012.


On March 19, 2012, Parker, *pro se*, filed objections to the Report and Recommendation (Dkt. #31). Parker’s assigned counsel did not file any objections.

Since Parker has assigned counsel, this Court has no obligation whatsoever to consider *pro se* filings. The Court need not consider two sets of papers, one filed by counsel and one filed, *pro se*.

I have, though, reviewed the objections (Dkt. #31) and find that they do not warrant modifying, reversing or rejecting Magistrate Judge Feldman’s recommendation that the motion to dismiss be denied. I believe the Magistrate Judge carefully considered the rules concerning speedy trial and the applicable exclusions, and I find no violation of the Speedy Trial Act.

Therefore, I accept and adopt the Report and Recommendation (Dkt. #26) of United States Magistrate Judge Jonathan W. Feldman. Defendant's motion to dismiss the indictment for a violation of the Speedy Trial Act is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 2, 2012.